

Peter Jakab (PJ-8553)
FEIN & JAKAB
The Woolworth Building
233 Broadway - Suite 930
New York, NY 10279
(212) 732-9290

David Toy (admitted in CA and TX)
SPAGNOLETTI & CO.
401 Louisiana St., 8th Floor
Houston, TX 77002-1629
(713) 653 5600

Attorneys for Plaintiff
COMMERCIAL METALS COMPANY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMERCIAL METALS COMPANY,

Plaintiff,

-against-

M.V. PORT VICTORIA, *IN REM*, HER
ENGINES, TACKLE, APPAREL, ETC.,
PORT VICTORIA GMBH & CO. KG, ITM
GERMANY GMBH, AND SK SHIPPING
CO., LTD., *IN PERSONAM*

Defendants.

Case No. 07 CV 7207

NOTICE OF DISMISSAL

Plaintiff, Commercial Metals Company ("CMC"), has fully and finally resolved its dispute with each and every Defendant herein, and no longer desires to prosecute this action.

WHEREFORE PREMISES CONSIDERED, and pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), Plaintiff CMC prays that its action be dismissed with prejudice.

Dated: November __, 2007
New York, New York

Respectfully,

FEIN & JAKAB
The Woolworth Building
233 Broadway · Suite 930
New York, NY 10279
212/732-9290

By: _____
PETER JAKAB (PJ-8553)

Attorneys for Plaintiffs
COMMERCIAL METALS COMPANY